

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

Andrew Bridge, et al.,

Plaintiffs,

v.

Oklahoma State Department of
Education, et al.,

Defendants.

Case No. CIV-22-787-JD

**PLAINTIFFS’ OPPOSITION TO SCHOOL DEFENDANTS’ MOTION FOR
JUDGMENT ON THE PLEADINGS**

On February 5, 2024, Independent School District No. 40 of Cleveland County, Oklahoma (“Noble Public Schools”), Independent School District No. 2 of Cleveland County, Oklahoma (“Moore Public Schools”), Independent School District No. 89 of Oklahoma County, Oklahoma (“Oklahoma City Public Schools”), and Harding Independence Charter District, Inc. (“HICD,” and together with Noble Public Schools, Moore Public Schools, and Oklahoma City Public Schools, the “School Defendants”) moved for judgment on the pleadings, pursuant to Federal Rule of Civil Procedure 12(c). *See* Doc. No. 114. The School Defendants argue that dismissal of Plaintiffs’ claims against the School Defendants is required for the same reasons requiring dismissal of Plaintiffs’

claims against the State Defendants,¹ as set forth in the Court’s January 12, 2024 Order granting the State Defendants’ Motion to Dismiss. *See* Doc. No. 107.

In opposing the School Defendants’ motion, Plaintiffs incorporate here by reference the arguments set forth in their Opposition to the State Defendants’ Motion to Dismiss. *See* Doc. No. 53. Plaintiffs, however, recognize that the reasoning of the Court’s January 12, 2024 Order as to the State Defendants—although Plaintiffs disagree with the Court’s decision and intend to appeal it—applies equally to Plaintiffs’ claims against the School Defendants. Plaintiffs therefore do not restate their arguments in opposition to dismissal simply to preserve judicial efficiency. Plaintiffs reserve all rights to challenge on appeal the Court’s January 12, 2024 Order as to the State Defendants and any forthcoming order as to the School Defendants.

¹ The State Defendants include the Oklahoma State Department of Education; Ryan Walters, in his official capacity as the State Superintendent of Public Instruction; Donald Burdick, Katie Quebedeaux, Zach Archer, Kendra Wesson, Trent Smith, and Sarah Lepak, in their official capacities as members of the Oklahoma Board of Education; and Gentner Drummond, in his official capacity as Oklahoma Attorney General.

Dated: February 7, 2024

Respectfully submitted,

/s/ Isaac D. Chaput
Isaac D. Chaput

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CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2024, I electronically filed Plaintiffs' Opposition to School Defendants' Motion for Judgment on the Pleadings with the Clerk of Court via the Court's CM/ECF system, which effects service upon all counsel of record.

/s/ Isaac D. Chaput
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